IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

WP(C).No. 4462 of 2007(F)

PETITIONER:

DR.P.UNNEENKUTTY, READER IN COMMERCE, FAROOK COLLEGE, CALICUT, (AGED 45, S/O. KUTTYALI HAJI, PARENGAL HOUSE, VALIYAD, KODUR P.O., MALAPPURAM).

BY ADV. SRI.K.S.MADHUSOODANAN
SRI.T.V.JAYAKUMAR NAMBOODIRI

RESPONDENTS:
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1. **STATE OF KERALA TO BE REP. SECRETARY, HIGHER EDUCATION (C) DEPARTMENT, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.**

2. **DIRECTOR OF COLLEGIATE EDUCATION, THIRUVANANTHAPURAM.**

3. **DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, NORTH ZONE, CALICUT.**

4. **UNIVERSITY OF CALICUT, REP. BY REGISTRAR, CALICUT UNIVERSITY, THENJIPALAM MALAPPURAM.**

5. **PRINCIPAL, FAROOK COLLEGE, CALICUT.**

BY GOVT.PLEADER SMT.M.R.SREELATHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**PHOTOCOPY OF THE APPOINTMENT ORDER BEARING NO.G2-2/404/93 (TSF) DTD. 18-11-93**
EXT.P2	**PHOTOCOPY OF THE CERTIFICATE NO.G2-2/404/2005 (TSF) DTD. 8-11-05**
EXT.P3	**PHOTOCOPY OF THE APPOINTMENT ORDER NO.G1-1209/05 DTD. 11-9-95**
EXT.P4	**PHOTOCOPY OF THE RELIEVING ORDER NO.G1-1477/95 DTD. 7-11-95**
EXT.P5	**PHOTOCOPY OF THE APPOINTMENT ORDER NO.G2-2/404/95(TSF) DTD. 8-11-95**
EXT.P6	**PHOTOCOPY OF THE ORDER G.O.(P)NO.171/99/H.EDN. DTD. 21-12-99**
EXT.P7	**PHOTOCOPY OF THE ORDER NO.GA.II/SPL.CELL/I/1003/2002 DTD. 10-07-2002**
EXT.P8	**PHOTOCOPY OF THE LETTER NO.A5-15/2--2 DTD. 25-7-2002**
EXT.P9	**PHOTOCOPY OF THE LETTER NO.D4-2402/2002 DTD. 24-4-03 OF R3 TO R5**
EXT.P10	**PHOTOCOPY OF THE THE ORDER NO.GA.II/SPL.CELL/1/136/05(II) DTD. 23-4-05**
EXT.P11	**PHOTOCOPY OF THE ORDER NO.GAII/SPL.CELL/1/136/05(I)DTD.24-4-05**
EXT.P12	**PHOTOCOPY OF THE LETTER OF R3 TO R5 DTD. 16-1-07**
EXT.P13	**PHOTOCOPY OF THE JUDGMENT IN W.P.C.NO.18985/03 DTD. 18-6-03**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

W.P.(C).No.4462 OF 2007

Dated this the 29th day of March, 2007

JUDGMENT

Complaint of the petitioner in brief is as follows:

By Ext.P7, the fourth respondent placed the petitioner under Senior Scale with effect from 27-07-98. Vide Ext.P10 University granted its approval to the grant of selection grade to the petitioner with effect from 01/05/2003. By Ext.P11 University has granted approval to the appointment of the petitioner as Reader. However financial benefits are not forthcoming. According to the petitioner, the matter is covered by Ext.P13 judgment. He also relies on the decision reported in **Cherian Mathew vs. Principal, S.B.College, Changanassery** (1993(2)KLT 144).

2. I heard learned Government Pleader also.

3. The writ petition is disposed of as follows:

The second respondent will file his objections to Exts.P7,

P10 and P11 before the fourth respondent within a period of one month from the date of receipt of a copy of this judgment. Thereupon, the fourth respondent will consider each and every objections meticulously and pass a reasoned order which shall be communicated to the petitioner and to the third respondent within a period of one month from the date of receipt of the objection. If the University reiterates its stand taken already in Exts.P7, P10 and P11, the matter will be governed by the decision in Cherian Mathew's case and the monetary benefits due to the petitioner will be disbursed to him without any further delay.

K.M.JOSEPH
JUDGE

sv.